

WILSON CONTRACTING,

) AGBCA No. 98-158-1

Appellant )  
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)

**Representing the Appellant:** )  
)

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Wilson Contracting )  
765 E. Jackson Street )  
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**Representing the Government:** )  
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**DECISION OF THE BOARD OF CONTRACT APPEALS**

**May 27, 1998**

**OPINION BY ADMINISTRATIVE JUDGE EDWARD HOURY**

This appeal arose under Contract No. 52-04KK-6-2213 between the Forest Service, U. S. Department of Agriculture, and Wilson Contracting of Burns, Oregon (Appellant). The contract was for tree thinning in the Malheur National Forest in Oregon.

The contract had been terminated for default, and 132 acres of the work was reprocured by the Government. This appeal is from an assessment by the Government of the excess cost of reprocurement.

On appeal Appellant asserted that it had thinned eight acres for which it had not been paid, and that the reprocurement contractor would verify that Appellant had completed this work. The Government apparently reprocured the work without first retraversing the disputed unit.

After docketing the appeal, the Board was advised that the parties had settled the appeal.

**DECISION**

The appeal is dismissed as settled.

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**EDWARD HOURY**  
Administrative Judge

**Concurring:**

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**HOWARD A. POLLACK**  
Administrative Judge

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**ROBERT M.M. SETO**  
Administrative Judge

**Issued at Washington, DC**  
May 27, 1998